

From: Native American Law360 [news-alt@law360.com]
Sent: 7/21/2020 9:33:24 AM
To: Wright, Felicia [Wright.Felicia@epa.gov]
Subject: [SPAM] Showtime Beats Cayuga Nation's 'Billions' Defamation Suit



Tuesday, July 21, 2020



TOP NEWS

Showtime Beats Cayuga Nation's 'Billions' Defamation Suit

A New York judge has tossed a defamation suit by the Cayuga Nation and a council member over what they called a negative portrayal of the tribal official in an episode of Showtime's fictional show "Billions," saying they hadn't shown the character was based closely enough on the council member.

[Opinion attached](#) | [Read full article »](#)

Opioid Judge 'Concerned' About Amerisource Hiding Docs

An Ohio federal judge on Monday ordered AmerisourceBergen Drug Corp. to reevaluate why it hasn't produced key documents in opioid multidistrict litigation, saying Monday that he is "concerned" by new omissions and frequent changes in privilege designations.

[Order attached](#) | [Read full article »](#)

NY County Says McGirt Doesn't Apply To Property Tax Fight

The U.S. Supreme Court's recent decision to overturn a Native American man's Oklahoma state court convictions is irrelevant to a Second Circuit appeal in a tribal property tax dispute, New York's Seneca County said Friday.

[2 documents attached](#) | [Read full article »](#)

BIA Approves Land-Into-Trust For Osage Nation Casinos

The Bureau of Indian Affairs has approved two land-into-trust applications from the Osage Nation of northeastern Oklahoma for casino projects in and around the cities of Pawhuska and Bartlesville.

[Read full article »](#)

POLICY & REGULATION

FCC Approves Rules To Fix Broadband Mapping Gaps

The Federal Communications Commission has adopted rules to improve broadband availability maps, identify connectivity gaps in the U.S. and locate where funding is needed to remedy the digital divide, in an effort to implement the

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Broadband Deployment Accuracy and Technological Availability Act that Congress enacted in March.

 [Order attached](#) | [Read full article »](#)

Federal Coal Lease Ban Should Be Reinstated, AGs Say

Several state attorneys general, environmentalists and a Native American tribe on Monday regrouped and took another stab at attempting to revive an Obama-era moratorium on federal coal leasing after a federal judge recently shot down their initial attempt.

 [2 documents attached](#) | [Read full article »](#)

EPA Says Wash. River PCB Plan Not Legally Binding

A challenge to the U.S. Environmental Protection Agency's plan for cleaning up polychlorinated biphenyls in Washington state's Spokane River must be tossed because the plan is merely a schedule and isn't legally binding, the agency has told a federal court.

 [Motion attached](#) | [Read full article »](#)

LITIGATION

Native Cig Co. Says NY Judge Should Snuff Out State's Suit

King Mountain Tobacco Co. has opposed the state of New York's request that a federal court keep jurisdiction over the state's suit against the Native American tobacco maker, saying claims King Mountain might have resumed shipping illegal cigarettes to New York are "flatly wrong."

 [1 document attached](#) | [Read full article »](#)

Guam Judge Won't Vacate Damages Ruling In Chamorro Case

A Guam federal judge on Friday refused to vacate her 2019 ruling blocking the U.S. government from seeking certain damages under the Fair Housing Act, despite a recent settlement in its case against Guam's government regarding housing rights for the island's indigenous Chamorro people.

 [Order attached](#) | [Read full article »](#)

EXPERT ANALYSIS

Opinion

McGirt Displays Gorsuch's Principled Stance On Tribal Rights

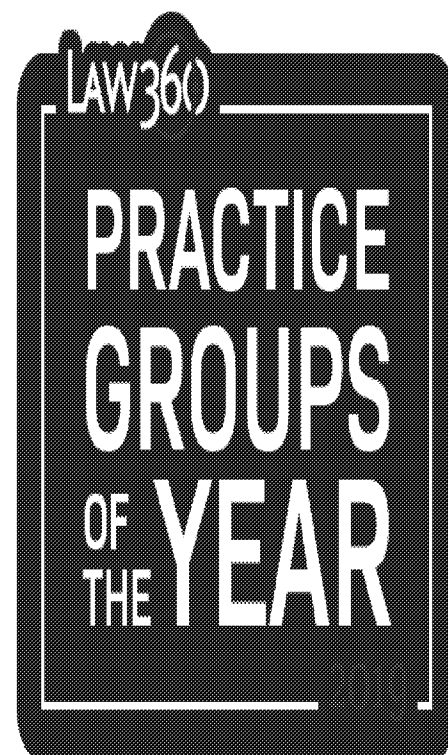
In *McGirt v. Oklahoma*, the majority opinion penned by Justice Neil Gorsuch represents a striking denunciation of how the U.S. has treated Native Americans and displays a clear understanding of tribes' perspectives and equal rights as American citizens under the law, says Billy Stratton at the University of Denver.

 [Opinion attached](#) | [Read full article »](#)

Mediator Confidentiality Promises Carry Serious Risks

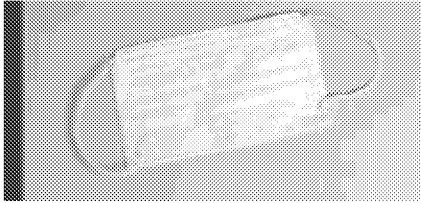
A mediation agreement that promises to keep evidence confidential could result in a legal malpractice case for the mediator, and the risk has increased in the COVID-19 era of online sessions, says mediator Jeff Kichaven.

[Read full article »](#)



LAW FIRMS

Barclay Damon
Berke-Weiss Law PLLC
Bond Schoeneck
Cravath Swaine
Davis Wright Tremaine
Debevoise & Plimpton
Diserio Martin
Earthjustice
Garces & Grabler
Gibbons PC
Goodwin
Harvey & Binnall
Haynes & Boone
Jenner & Block
Law Offices of Tim Powers
Levi & Korsinsky
McCarter & English
Morgan Lewis
Norris McLaughlin
Orrick
Parker Ibrahim
Petrillo Klein
Smith & Lowney
Wilkinson Walsh
WilmerHale
Ziontz Chestnut



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RECORDING



LEGAL INDUSTRY

'Men's Rights' Atty Named As Killer Of Federal Judge's Son

The deceased gunman suspected of killing U.S. District Judge Esther Salas' son and wounding her husband at their New Jersey home was identified Monday as Roy Den Hollander, a solo "men's rights" attorney who has argued before her, according to the FBI and U.S. attorney's office.

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Judge Whose Son Was Gunned Down Made History In NJ

U.S. District Judge Esther Salas, whose son was killed and husband wounded in a shooting at their New Jersey home Sunday, has had a history-making judicial career marked by some of the most high-profile cases in the Garden State, including a recent suit against Deutsche Bank AG over its ties to millionaire sex offender Jeffrey Epstein.

[Read full article »](#)

Analysis

Salas Attack Highlights Importance Of Judicial Security

Past violent attacks on judges and their families have spurred attempts to address weaknesses in judicial security, but following a fatal shooting at the home of U.S. District Judge Esther Salas in New Jersey on Sunday, experts say that even more can be done to ensure the safety of judges and those close to them.

[Read full article »](#)

Haynes And Boone Eyes Expansion With New Leader

A new managing partner will take the helm at Haynes and Boone LLP in January as the Texas-based firm sets lofty goals to expand at home in Texas and in its national and international offices, the firm announced Monday.

[Read full article »](#)

Coca-Cola, Ford Each Name New General Counsel

The Coca-Cola Co. and Ford Motor Co. announced Monday that they will both have new general counsel, with the automotive giant's top attorney shifting over to the beverage company.

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Gun-Toting St. Louis Attys Charged Over Anti-Protest Standoff

Husband-and-wife attorneys who run a prominent St. Louis personal injury firm were charged with a felony apiece in Missouri state court Monday as prosecutors say they brandished an assault rifle and a handgun while confronting protesters marching outside their home last month.

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For Attys, Flexible Work Arrangements May Be Here To Stay

COMPANIES

American Bar Association
AmerisourceBergen Corp.
Celgene Corp.
Center for Biological Diversity
Dell Technologies Inc.
Deutsche Bank AG
FedEx Corp.
Federation for American Immigration Reform
Ford Motor Co.
Fordham University
Henry Schein Inc.
Hertz Global Holdings Inc.
Immigration Reform Law Institute
Mylan NV
National Women's Law Center
New York City Bar Association
Nike Inc.
Pivotal Software Inc.
Showtime Networks Inc.
Sierra Club
Southern Poverty Law Center
State Bar of California
T-Mobile US Inc.
TD Ameritrade Holding Corp.
The Coca-Cola Co.
The Walt Disney Co.
Twitter Inc.
WeWork Co. Inc.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Land Management
California Supreme Court
Confederated Tribes and Bands of the Yakama Nation
Executive Office for Immigration Review
Federal Bureau of Investigation
Federal Communications Commission
Georgia Supreme Court
Guam Attorney General's Office
Judicial Conference of the United States
National Indian Gaming Commission
Northern Cheyenne Tribe

When COVID-19 hit the U.S. in March, law firms grappled with office closures and remote-work arrangements to comply with local stay-at-home orders. Four months later, many attorneys seem to have adapted to working from home and may not need to return to the office anytime soon, experts said during a panel discussion Monday.

[Read full article »](#)

Allow Menstrual Products At Bar Exam, Thousands Tell NCBE

Thousands of law professors, lawyers and law students on Monday urged the National Conference of Bar Examiners to clarify that examinees must be permitted to bring menstrual products to the Multistate Bar Examination, characterizing some states' practice of banning them as "illogical" and "shaming."

[Read full article »](#)

Ga. Is Latest State To Delay Bar Exam And Move Online

Georgia's high court on Monday canceled the in-person bar examination scheduled for September and moved the test online, joining a growing list of states that have changed plans for the exam as a result of COVID-19.

[Read full article »](#)

Survey Finds Most Judges Say Systemic Racism Is An Issue

A National Judicial College poll released Monday found that 65% of the judges who responded believe systemic racism is part of the U.S. criminal justice system, with many leaving comments that suggested the problem was one the judiciary should be paying close attention to.

[Read full article »](#)

Sens. Moving Forward On Bill With 65 New Fed. Judgeships

Two Republican senators are putting the finishing touches on a bill that would create 65 new district judgeships, a move that would fulfill the federal judiciary's recommendation for addressing shortages in overworked courts across the country.

[Read full article »](#)

2 Ex-High Court Clerks Exit BigLaw For The MacArthur Center

The appellate practices at Orrick and Jenner & Block each lost a former Supreme Court clerk this month to the MacArthur Justice Center, a Chicago public interest law firm aimed at criminal justice reform.

[Read full article »](#)

Flynn Says Trial Judge 'Hijacked' Case With En Banc Bid

President Donald Trump's former national security adviser Michael Flynn accused a federal judge Monday of hijacking his criminal prosecution by refusing to immediately grant the government's request to end his case and urged the full D.C. Circuit to allow a recent ruling ordering his case's dismissal to stand without a review.

[Read full article »](#)

Avenatti Is Out Of Money For Legal Fees, Lawyer Says

Michael Avenatti is out of money and can't afford the legal fees for his upcoming embezzlement trial, his counsel told a California federal judge over the weekend, asking to continue representing the embattled attorney on a publicly funded basis.

Oneida Indian Nation

Osage Tribe

Spokane Tribe of Indians

U.S. Army

U.S. Attorney's Office

U.S. Coast Guard

U.S. Court of Appeals for the District of Columbia Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Department of Justice

U.S. Department of the Interior

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Western District of Washington

U.S. Environmental Protection Agency

U.S. Supreme Court

United States District Court for the District of Montana

United States District Court for the Northern District of Ohio

[Read full article »](#)

WeWork Fights Atty's Bid To Appeal Arbitration Ruling

A New York federal judge should reject a former WeWork attorney's bid to appeal a decision that the federal arbitration law trumps the state's arbitration rules on allegations of discrimination, as the question is not "exceptional," the shared workspace company has argued.

[Read full article »](#)

Expert Witness Sues Levi & Korsinsky For Unpaid Fees

Securities and consumer litigation law firm Levi & Korsinsky LLP has not paid a financial industry consulting firm for its work as an expert witness in a proposed class action against TD Ameritrade Inc. and has refused to respond to a demand for arbitration, according to a suit filed in Connecticut state court.

[Read full article »](#)

Ex-FAIR Research Director Among 46 New Immigration Judges

Former immigration judges said Monday that the Trump administration's recent appointments of 46 immigration judges are "a fraud on American justice" and that the appointment of a former leader of an immigration restrictionist organization will make it "impossible for one to receive a fair hearing."

[Read full article »](#)

Interview

15 Minutes With Geometer's Chief Legal Officer

After in-house stints at EMC and a cloud software company spun out by Dell EMC and VMware, Andrew Cohen earlier this year helped establish a software incubator that dedicates a quarter of its projects to furthering the social good. Here, the head lawyer shares more about the challenges at Geometer, and the ways he has seen the general counsel role change.

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